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7  
8 **BEFORE THE FAIR POLITICAL PRACTICES COMMISSION**  
9 **STATE OF CALIFORNIA**  
10

11 In the Matter of:

12 **VOTER INFORMATION GUIDE and**  
13 **TRACEY POMERANCE-POIRIER,**

14 Respondents.

FPPC No. 10/978

STIPULATION, DECISION AND ORDER

15 **STIPULATION**

16 Complainant, the Fair Political Practices Commission, and Respondents, Voter Information Guide  
17 and Tracey Pomerance-Poirier, agree that this Stipulation will be submitted for consideration by the Fair  
18 Political Practices Commission at its next regularly scheduled meeting.

19 The parties agree to enter into this Stipulation to resolve all factual and legal issues raised in this  
20 matter and to reach a final disposition without the necessity of holding an additional administrative  
21 hearing to determine the liability of Respondents.

22 Respondents understand, and hereby knowingly and voluntarily waive, any and all procedural  
23 rights set forth in Government Code sections 83115.5, 11503 and 11523, and in California Code of  
24 Regulations, title 2, sections 18361.1 through 18361.9. This includes, but is not limited to the right to  
25 appear personally at any administrative hearing held in this matter, to be represented by an attorney at  
26 Respondents' own expense, to confront and cross-examine all witnesses testifying at the hearing, to  
27 subpoena witnesses to testify at the hearing, to have an impartial administrative law judge preside over  
28 the hearing as a hearing officer, and to have the matter judicially reviewed.

1 As described in Exhibit 1, it is further stipulated and agreed that for the reporting periods ending  
2 June 30 and December 31, 2010, Respondents failed to timely report subvendor information for  
3 payments totaling approximately \$407,400, in violation of Government Code section 84219, subdivision  
4 (h)(5) (one count).

5 Exhibit 1, which is attached hereto and incorporated by reference as though fully set forth herein,  
6 is a true and accurate summary of the facts in this matter.

7 Respondents agree to the issuance of the Decision and Order, which is attached hereto, and  
8 Respondents agree to the Commission imposing upon them an administrative penalty in the amount of  
9 \$2,000. One or more cashier's checks or money orders totaling said amount—to be paid to the General  
10 Fund of the State of California—is/are submitted with this Stipulation as full payment of the  
11 administrative penalty described above, and same shall be held by the State of California until the  
12 Commission issues its Decision and Order regarding this matter. The parties agree that in the event the  
13 Commission refuses to accept this Stipulation, it shall become null and void, and within fifteen (15)  
14 business days after the Commission meeting at which the Stipulation is rejected, all payments tendered  
15 by Respondents in connection with this Stipulation shall be reimbursed. Respondents further stipulate  
16 and agree that in the event the Commission rejects the Stipulation and a full evidentiary hearing before  
17 the Commission becomes necessary, neither any member of the Commission, nor the Executive Director,  
18 shall be disqualified because of prior consideration of this Stipulation.

19  
20 Dated: \_\_\_\_\_

\_\_\_\_\_  
Gary S. Winuk, Chief of Enforcement  
Fair Political Practices Commission

21  
22  
23 Dated: \_\_\_\_\_

\_\_\_\_\_  
Tracey Pomerance-Poirier, Individually and on  
Behalf of Voter Information Guide, Respondents

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26 **DECISION AND ORDER**

27 The foregoing Stipulation of the parties "In the Matter of Voter Information Guide and Tracey  
28 Pomerance-Poirier," FPPC No. 10/978, including all attached exhibits, is hereby accepted as the final

1 decision and order of the Fair Political Practices Commission, effective upon execution below by the  
2 Chairman.

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4 IT IS SO ORDERED.

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6 Dated: \_\_\_\_\_

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7 Ann Ravel, Chair  
8 Fair Political Practices Commission  
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